

*JHU*

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**AD1.015**

Re Application Of: **Francis A. Spelman, et al.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|----------|--------------|----------------|------------------|
| 10/780,544      | 02/17/2004  |          | 23893        | 3762           | 7472             |

Title: **APPARATUS AND METHOD FOR TREATMENT OF STRIAL HEARING LOSS**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Rescission of Previous Nonpublication Request: At the time we filed this case a PCT International Application No. PCT/US03/35164, Filed 11/04/2003 had been filed claiming priority from the parent case Patent No. 6,694,190, issued 02/17/2004, accordingly the Declaration accompanying the Nonpublication Request was in error. As a result we are requesting that the Nonpublication Request be rescinded.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
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Dated: **February 27, 2006**

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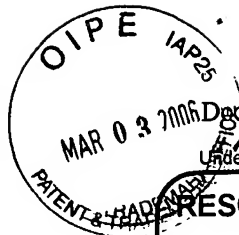
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**Claudia Degner**

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cc: **Advanced Cochlear Systems, Inc.**



Doc Code:

PTO/SB/36 (07-05)

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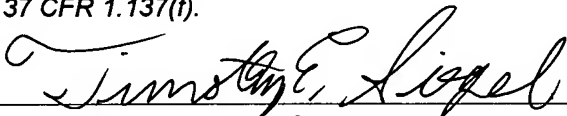
|  |  |                      |   |
|--|--|----------------------|---|
| <b>RESCISSION OF PREVIOUS NONPUBLICATION REQUEST</b><br>(35 U.S.C. 122(b)(2)(B)(ii))<br><b>AND, IF APPLICABLE,</b><br><b>NOTICE OF FOREIGN FILING</b><br>(35 U.S.C. 122(b)(2)(B)(iii)) |  | Application Number   | 10/780,544  |
|  |  | Filing Date          | 02/17/2004  |
|  |  | First Named Inventor | Francis A. Spelman, et al.                                |
|  |  | Title                | APPARATUS AND METHOD FOR TREATMENT OF STRIAL HEARING LOSS |
|  |  | Atty Docket Number   | AD1.015   |
|  |  | Art Unit             | 3762  |
|  |  | Examiner             |   |

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A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

*If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).*

|   |   |
|---|---|
| <br>_____<br>Signature | _____<br>February 27, 2006<br>Date                    |
| _____<br>Timothy E. Siegel<br>Typed or printed name   | _____<br>37,442<br>Registration Number, if applicable |
| _____<br>Voice: 503-650-7411, Fax: 503-650-9886<br>Telephone Number                                       |   |

**This request must be signed in compliance with 37 CFR 1.33(b).**

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Name (Print/Type) Claudia Degner

Date February 27, 2006

This collection of information is required by 37 CFR 1.213(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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